9 Laws and Orders

OF

WAR

Eſtabliſhed for the good [illegible]

His Majeſty's

Army in IRELAND.

By the Lord Lieutenant General and General Governour of

IRELAND.

Printed by [illegible]
moſt Excellent [illegible]

Arthur Earle of ESSEX, *Viſcount* Malden *Baron Capel of* Hadham, *Lord Lieutenant General, and General Governour of his Majeſties Kingdom of* Ireland *Lord Lieutenant of the County of* Hertford, *and one of the Lords of his Majeſties moſt Honourable privy Council.*

ESSEX,

TO

ALL *Officers of the Army* Colonels, *Lieutenant* Colonels' Serjeant Majors, Captains or other

Foot, and all His Majesties Subjects and other whom these Laws and Ordinances *ensuing shall concern: Which* Laws *and* Ordinances *hereby Published under Our Hands, We require all the said persons respectively and severally in this Army or Kingdom to observe and keep on the Pains and Penalties as by these Presents are expressed.*

Laws

LAVVS
AND
ORDINANCES
OF
VVAR.

I.

WE do ſtraitly charge and command all Commanders and Officers of the Army to ſee that Almighty God be duely and reuerently ſerved, that Sermons, Morning and Evening prai-

Prayers to be frequented

ers

ersbee diligently frequented, and thoſe that often and wilfully abſent themſelves be duely puniſhed.

II.

Blaſphemy. Let no man ſpeak impiouſly and maliciouſly againſt the Holy and Bleſſed Trinity, or any of the *Three Perſons*, God the Father, God the Son, and God the Holy Ghoſt, or againſt the known Articles of the *Chriſtian* Faith, upon pain of Death.

Hereſie.

III.

Prophana. tion. No Man ſhall take Gods Holy name in vain, or uſe unlawful Oaths or Execrations, or commit any ſcandalous Act to the derogation of Gods Honour, upon pain of the loſs of his Pay, Impriſonment, and ſuch further puniſhment as a *Martial Court* ſhall think his Offence deſerves.

IV.

Traiterous words. No Man ſhall uſe any Traiterous words againſt His Majeſties Sacred perſon, or Royal Authority, upon pain of Death.

V. No

V.

No Man ſhall offer any violence againſt, or contemptuouſly diſobey his Commander, or do any Act or ſpeak any Words which are like to breed any mutiny in the Army or Garriſon, or impeach the General, Lieutenant General, or Principal Officers directions, upon pain of Death. Diſobedience to Commanders

Mutiny.

VI.

No Man ſhall wilfully or through groſs ignorance fail in coming to the Rendezvouz or Garriſon aſſigned to him by Us the Lord General, or other Principal Officer that commands the Army, upon pain of Death. Not Repairing to the Rendezvouz.

VII.

No Captain, Officer, or Souldier of Troop or Company, on their March through the Country, under His Majeſties obedience, going to any Garriſon or Place of Service, ſhall upon any pretence of want whatſoever, commit any waſte, ſpoil, or Violence, to extort any victuals, Extortion, &c. upon a march.

als, Mony, or pawn in lieu of Victuals from any good Subject whatsoever, but shall content themselves with Meat and Drink competent, paying the usual and accustomed Rates for the same, upon pain of Death: But if in time of War or Rebellion, by occasion of any March through the Country, the Souldier shall be in Want, then the Officer shall seek & provide such Diet and Lodging for them as shall be thought fit at reasonable Rates hereto-fore accustomed, for the which the Captain or Officer shall give ready mony, or for want thereof to deliver his Ticket to be satisfied upon his Entertainment.

VIII.

Persons not inrolled in the Army.

No man that carries Armes or pretends to be a Souldier, shall remain three days in the Army after it is on foot, except he be inrolled in some Company, upon pain of Death.

IX

Not repaiing to the Colours

No man shall fail immediately to repair

pair unto his Colours, except upon evident neceſſity, when an Alarum is given, upon pain of death.

X

No Officer or Souldier What ſoever ſhall have conference or intelligence with any Enemy or Rebell that is in War or Rebellion againſt His Majeſty, or harbour or receive any ſuch within the Camp, or in any Town, Fort, Caſtle or Garriſon ,or ſhall ſend ,or procure to be ſent any Victuall, Ammunition, or other Relief, to any Enemy or Rebell againſt His Majeſty, neither ſhall do any other thing to the danger or prejudice of the Army, or being acquainted therewith ſhall conceal the ſame from the Cheif Officer, upon pain of death, onely ſuch as ſhall be avowed and warranted thereunto by Us, or thoſe that command the Army in Our abſence may ſpeak, Confer, have Intelligence, or Converſe with the Enemy or Rebell, for the advantage of his Majeſtes Service.

Holding Intelligence with, or relieving the Enemy.

XI.

Revolting to the Enemy.

No man ſhall run to the Enemy or Rebel that is in action, or abandon the Army, Garriſon or Colours without licence, upon pain of death.

XII

Departing from Captain.

No Souldier ſhall depart from his Captain without licence, though he ſerve ſtill in the Army, upon pain of death.

XIII

Entering or going out of the camp by unuſual ways.

No man ſhall enter or goe out of the Army or Garriſon when the Army is Encamped in the Field or before a Town, or neare an Enemy, but by ordinary ways, upon pain of death.

XIV

Watch-word

No man ſhall make known the Watch-word to the Enemy or any other, but by Order, nor give any word other then is given by the Officer, on pain of death.

XV.

Sentinel and watch.

No man being ſet Sentinel by his Officers ſhall ſleep, depart or forſake his place without being duely relieved or drawn

drawn off by the Officer that placed him; nor any other perſon being placed upon his Watch ſhall neglect his Duty commanded by his officer, upon pain of death.

XVI.

No man ſhall preſume to draw his ſword without order, after the Watch is ſet, upon pain of death. Drawing ſword after the Watch.

XVII.

No man ſhall give a falſe alarm or diſcharge a piece in the night, or make any noiſe without lawful cauſe, upon pain of death. Falſe alarm, or noiſe in the night

XVIII:

No man ſhall commit any murther or kill any perſon, or draw blood of any, or draw any ſword in private Quarrel with intent to offer violence within the camp or Garriſon upon pain of death. Murther, or private Quarrel.

XIX.

No Corporal or other Officer commanding the Watch, ſhall wittingly ſuffer a Souldier to go forth to private Fight, upon pain of death. Officers of the Watch ſuffering Duels.

XX.

Seditious Words

No man ſhall rehears Seditious words in the preſence of private Souldiers, upon pain of death.

XXI.

Vnlawful Aſſembly.

No perſons ſhall make any unlawful Aſſembly, or be preſent or aſſiſting there, unto, upon pain of death.

XXII.

Mutinous demand of pay

No man ſhall demand Money with an unlawful Aſſembly, or by other way tending to mutinie, more eſpecially upon marching toward an Enemy, or upon the execution of any Enterprize, on Pain of death.

XXIII.

Abuſe to bringers in of Victuals.

No man ſhall outrage or do any violence to any that comes to bring Victuals to the Army or Garriſon, upon pain of death.

XXIV.

Deceit in Victual or Ammuniti-on

No Provider, or Keeper Officer of His Majeſties Victual or Amunition, ſhall wilfully corrupt or imbezill any part there-

thereof, or give any falſe account to Us with a purpoſe to deceive His Majeſty, or to hinder the Service, upon Pain of death.

XXV.

No Souldier in Muſter ſhall anſwer for another, or take two payes, or Muſter in a falſe name to defraud His *Majeſty*, upon pain of death. False Muſter.

XXVI.

No perſon ſhall ſell, ſpoil or carry away any Ammunition, upon pain of death. Spoil or ſale of Ammunition.

XXVII.

No Souldier ſhall ſell or lay to pawn his Horſe or Hacknie, or any part of his Furniture, Armes or Apparell for any reſpect or pretence of want whatſoever. upon pain of death. Selling or Pawning of Arms.

XXVIII.

No man ſhall ſteal or take by force any Treaſure, Victual or Ammunition of his Majeſties, or take by force or ſteal from any perſon any Money, Arms, Apparel, or other Goods, being above the value of Twelve pence. in Marching, Camp or Gari- Robbery or Stealth.

Garriſon upon pain of Death.

XXIX.

Betray ing Caſtles, Forts, &c.

No man ſhall deliver any Town, Gaſtle, Fort or Sconce without Warrant, or depart from any Strait or paſſage which he is commaned to make good, or take Paſport of the Enemy or any rebell in War or Rebellion, or make any ignominious compoſition with the enemy, or Rebel in War or Rebellion, upon pain of death.

XXX.

Flying from Colours, &c

No man ſhall throw away his Arms or abandon his enſign, Cornet or Guidon or flye away in any battle or Skirmiſh, upou pain of death.

XXXI.

Departing a Mile from the Army.

No man ſhall depart a mile out of the Army or Camp without licence, upon pain of death.

XXXII.

Breach of Order in Chaſe, &c.

No Souldier ſhall break his Order to follow Rout or Chaſe, or to ſeek any prey or ſpoil, except he be commanded by ſuch

as

as have Authority, or further then he is ſo commanded, upon pain of death.

XXXIII

No Officer or Souldier whenſoever any Prey or Spoil ſhall be taken from the Rebels, either when the Army is in the Field or by any reſiding in the Gariſon, ſhall attempt to imbezle or purloin any part thereof, but ſhall endeavour themſelves to the uttermoſt of their powers to keep the ſame together, to be diſpoſed of by Our direction, or the direction of any other by Us thereunto Authorized, upon pain of death. Purloyning of Prey or Spoil.

XXXIV.

No Captain, Officer or Souldier, or any other that ſhall take any Priſoner, ſhall preſume to deliver him upon any ranſom or conceal him, but within four and twenty hours he ſhall make the ſame known unto Us or other chief Commander, and deliver the ſame Priſoner under the charge of the *Provoſt-Marſhal*, upon pain of death Ranſoming of Priſoners.

XXXV. No

XXXV.

Rape. No Man ſhall Raviſh or force any Woman, upon pain of death.

XXXVI.

Burning of Houſes, Corn, &c. No Souldier ſhall burn any Houſe or Lodging, or wilfully ſpoil any Corn, ſhip or boat or Carriage, or any other thing that may ſerve for the proviſſion of the Army or his Garriſon, without he be commanded ſo to do by Vs or ſome principal Officer of the Army, upon pain of death.

XXXVII.

Reſiſting Provoſt-martials, or other Officers. No Man ſhall reſiſt or offend any Provoſt Marſhal or other Officer, in the execution of his Office, by reſcuing Offenders, upon pain of death.

XXXVIII.

Breaking of Priſon. No Man that is committed ſhall break Priſon upon pain of death.

XXXIX.

Adultery. No Man ſhall commit Adultery or Fornication upon pain of Impriſonment, baniſhment from the Army, or ſuch other penalty as by the Martial Court ſhall be thought meet.

XL.

XL,

No man ſhall beat, threaten or diſhoneſtly touch any man, Woman or Child, upon pain of puniſhment, according to the quality of the offence. Violence.

XLI.

No Souldier ſerving on Foot ſhall carry any Boy, nor any Woman ſhall be ſuffered to follow the Army, upon pain of ſuch puniſhment as ſhall be inflicted by the Lord General or other Officer. Boys or Women.

XLII.

Every Souldier or Officer that ſhall be found drunk, ſhall be commited to priſon for the firſt offence, & if he fall into it the ſecond time, being a private Souldier, he ſhall beſides his impriſonment, forfeit two Moneths Pay, if he be an Officer he ſhall loſe his place, the third time a common Souldier ſhall have ſuch greater puniſhment as a Marſhall Court ſhall Order. Drunkenneſs.

XLIII.

No man ſhall give any diſgraceful words, or commit any Act to the diſgrace Affronts & Challenges,

of any perſon in the Army, Garriſon, or any part thereof, upon pain of Impriſonment, publick diſarming and baniſhment from the Army, as men for ever diſabled to carry any Arms.

And as We do forbid all men under Our Command to renew any old Quarrels or begin any new, ſo We do acquit and diſcharge all men that have Quarrels offered or Challenge made to them, of all diſgrace or opinion of any diſadvantage, ſince they do but the Duties of Souldiers, which ought to ſubject themſelves to *Martial diſcipline*; and they that provoke them ſhall be proceeded with all as breakers of all good Diſcipline and Enemies to the good ſucceſs of the ſervice.

And to the end that there may be a perfect Union, Friendſhip and Affection, between all thoſe of his Majeſties Army, and to prevent Quarrels and Diviſions therein, It is hereby Ordered and Declared, *That if any Officer of what degree ſoever, or any Souldier, ſhall diſparage or*

diſ-

diſgracefully reproach any Officer or Souldier of His Majeſties Army, *with or for any Action done or Words ſpoken by him during the late Troubles or Rebellions in this Kingdom, or in* England *or* Scotland, *or for having ſerved any of the late Uſurped Powers in any of the ſaid Kingdomes, that ſuch Officer or Souldier ſo offending, and being thereof found Guilty before a* Court Martial, *or by ſufficient proof before Us, ſhall be caſhiered the Army, and never more admitted into His Majeſties pay.*

XLIV.

No Captain ſhall through corruption or wilful or groſs negligence, ſuffer his Company to grow weak, upon pain of Impriſonment, loſs of his Place, and ignominious baniſhment from the Army, Weak Companies.

XLV.

No Captain, Lieutenant, or other Officer of the Army, ſhall in the tender or preſentment of their *Muſters* uſe any fraud, practice or deceit, whereby the *Muſter Maſter*, his Deputies or the Commiſſa- Deceit in Muſters.

rics, may be miſled, miſtaken or prevented of the due underſtanding of the true Eſtate of that Company, upon pain of loſs of his place, and ſuch other ignominious puniſhment as by a *Martial-Court* ſhall be thought meet.

XLVI.

Unequal Cheques. No *Muſter-Maſter* ſhall either for favour, friendſhip or other by-reſpect whatſoever, impoſe a leſs or greater cheque upon any Captain or Officer than his default ſhall juſtly merit, or any cheque at all where no defect or default ſhall appear upon due view taken of the Company; and that no cheque ſhall be impoſed by diſcretion without view, upon pain that every Offender that ſhall be found to tranſgreſs in all or any part of his article, ſhall forfeit his place which he holdeth, and be further ſubject to ſuch Corporal or pecuniary puniſhment as by the diſcretion of a Martial-Court ſhall be thought convenient.

Cheques without view

XLVII.

XLVII.

Every Captain ſhall have a Liſt of all the defaults in Apparel, Arms or Training, certified by the Muſter-Maſter or the Commiſſary authorized for Muſters ſent unto him atteſted under their Hands; whereupon the ſaid Captain ſhall preſently take Order, that the ſame be fully ſupplied before the Muſter then next enſuing ſuch notice given him thereof, and every Captain failing in his duty, herein ſhall for the firſt neglect have one Moneths pay defalked out of his Entertainment, and if he continue the ſaid neglect without amending & ſupplying the ſame, he ſhall be diſcharged of his place and command.

Defects certified not ſupplied.

XLVIII.

All Captains ſhall be diligent in Training their Companies, and ſhall be careful in governing them well, and in providing for them, according to the Orders publiſhed for the Muſters, and alſo ſhall ſee in all ſervices, that they do the Duties of Souldiers, as they will hope for favour or advance-

Neglect in Training.

advancement, or eſcape ignominious diſplacing from their charges.

XLIX.

Armes unfixt. No Souldier ſhall appear with his Arms unfixed or undecently kept, upon pain of puniſhment, according to the Officers good diſcretion.

L.

Defect of Arms. No Souldier ſhall come not fully armed to his Colours, being to watch or to be excerciſed, upon pain of being punished according to diſcretion.

LI.

Non Reſidence in Garriſon. No Captain or Officer ſhall without expreſs licence in that behalf ſignified remain or abide forth of his place Aſſigned unto him by Us for his Garriſon, upon pain of cashiering.

LII.

Orderly Quarters. All Captains or Other Officers that for the time ſhall have command of Troop or Company, ſhall ſee them orderly Quartered as they are appointed and as they are commanded, upon pain of the loſs of their places. LIII. Every

LIII.

Every private man and Souldier upon pain of Impriſonment, ſhall keep ſilence when the Army is to take Lodging, or when it is marching or imbattailing, ſo as the Officers may be heard, and their commandments executed. Silenc.

LIV.

No man ſhall ſpoil or take the Goods of any that dyeth or is killed in Service, upon pain of reſtoring double the value; but the Goods of ſuch as dye in the Army or Garriſon, if they make any Will by word or writing, ſhall be diſpoſed of according to their will: If they make no will ſhall be diſtributed to the Hurt, Sick and Poor of the Company whereof the Souldier was, or ſhall go to the Hoſpital of the Army. Goods of the Dead.

LV.

No Inhabitant in Town or Countrey ſhall preſume to buy or take to Pawn any Horſe or Hackney, or any Souldier, or any part of his Furniture, Arms or Apparel, for Buying or taking to Pawn of Armes.

any

any reſpect or pretence whatſoever, at their peril.

LVI

Loſing of Arms by negligence.

If any Horſeman ſhall loſe his Horſe or Hackny, or Footman any part of his Arms by negligence or lewdneſs, whereby he ſhall be unable to diſcharge the duty of his place, then until he ſhall recover the ſame or furniſh himſelf with as good, he ſhall remain in the ſtate & condition of a Pioneer or ſuſtain further puniſhment at Our diſcretion, or other Officer thereunto authorized.

LVI.

Unwholeſome Victuals.

No Victualer ſhall preſume to iſſue or ſell to any of the Army unſound, unſavory or unwholeſome Victuals, upon pain of impriſonment and ſuch other puniſhment as by a *Martial-Court* ſhall be thought fit to be impoſed on him, or them, that ſhall ſo offend.

LVIII.

Unſeaſonable hours at Victualling houſes.

No Victualer ſhall entertain Souldiers at unſeaſonable hours, upon pain of being ſeverely puniſhed. LIX. No

LIX.

No Souldier ſhall be a Victualer without the conſent of the Chief of the Army on pain of puniſhment according to diſcretion. Souldiers not to be Victualers.

LX.

No Captain ſhall give Paſport to any Officer or Souldier under his Command without our leave. Captains not to give Paſport.

LXI.

No Captain or other Officer of the Army ſhall diſcharge or caſhier any Souldier entered in His Majeſties Liſt of this his Army, without our privity and allowance, and Our ſpecial Warrant in that behalf, unleſs it be by the privity and allowance of the Officers of the Muſters upon the publick days of Muſter. Caſhiering of Souldiers.

LXII.

Entertaining Run-away.

No Inhabitant of City, Town or Countrey, ſhall preſume to receive any Souldier into their Service, not having a ſufficient authority, neither ſhall any conceal or hide any ſuch Run-away, or uſe means to convey them out of the Kingdom, or to any other ſecret place, but ſhall at their peril apprehend all ſuch, and deliver them over to the Provoſt Martial.

LXIII.

Detecting, &c. of Offenders.

All Captains, Officers and Souldiers ſhall do their endeavours *to detect, apprehend and bring to puniſhment all Offenders, and ſhall aſſiſt the Officers of the Army for that purpoſe, as they will anſwer their ſlackneſs and be cenſured in the Martials Court.*

LXIV. All

LXIV.

All other Faults, Diſorders and Offences that are not *mentioned in theſe Articles* ſhall be puniſhed according to the General Cuſtoms and Laws of War; And therefore it is by Us commanded, *That all men look to their charge, and he that hath no charge to look to his own carriage, as he will anſwer the contrary.*

Faults in general provided againſt.

LXV.

The Muſter-Maſter General or his Deputies, ſhall not ſuffer any Officer or Souldier in any Troop or Foot Company to paſs Muſter, unleſs he ſhall produce *a ſufficient Certificate under the Hand of the Biſhop of the Dioceſs, upon a Certificate made to him under the Hand and Seal of the Lawful Miniſter of the Pariſh wherein they were Quartered or Garriſoned, that they had received the Bleſſed Sacrament of the Com-*

union, according to the Diſcipline of the Church of Ireland, *the* Eaſter *or the* Chriſtmas *next Præceding the ſaid Muſter.*

LXVI.

All Officers and Souldiers of His Majeſties Army are hereby ſtrictly required upon demand, *to be aiding and aſſiſting to His Majeſties Officers of the Cuſtoms and Excize, in ſeizing the goods of any perſon or perſons that ſhall endeavour in any of the Ports of this Kingdom, to defraud His Majeſty of his juſt duties of Cuſtoms and Excize:* And it is hereby Ordered and Declared, *That if any Souldier ſhall preſume to abet or aſſiſt any perſon or perſons that ſhall any way attempt the defrauding His Majeſty of His ſaid duties of Cuſtom and Excize, any Souldier ſo offending ſhall undergo ſuch Corporal puniſhment as ſhall be thought fit by a Court-Martial upon ſufficient proof made thereof, and ſhall be Caſhiered the Army: And if any Officer ſhal ſo Offend, the ſhall likewiſe be caſhiered the Army.*

LXVII. Finally

LXVII.

Finally, the Marſhal of the *Army*, the Judge Martial, the Captains of Horſe and Foot in His Majeſties Pay, and all other His Majeſties Officers in this Kingdom whom it may concern, are hereby required to obſerve theſe *Laws* and to ſee them put in due execution from time to time.

THeſe Laws *and* Ordinances *We require every Captain in the* Army *to cauſe to be read in the Head of their ſevereal Companies forthwith, and the Chief Officers of every* REGIMENT *are required to ſee to the caeful perfor-*

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mance and Obſervation, as well of this Direction as of all the ſaid Laws *and* Ordinances.

Given at His Majeſties Caſtle of *Dublin* the 21th day of *September* 1672 and in the 24th Year of His Majeſties Reign.

Hen: Ford.